

JUN 08 2001

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MR. ARNOLD: Well, my name is Richard Arnold, A-r-n-o-l-d. I'm the spokesperson for the Consolidated Groups of Tribes and Organizations. I'd like to present some recommendations specific to the Supplemental Draft EIS for the Yucca Mountain project. And in doing so it's going to be an overview and after I'm done there will be supplemental comments made by other attendees here from various tribes that participate in the Consolidated Group of Tribes and Organizations.

1 Comment one, we feel that the comment period should be extended to 90 days as was the original Draft EIS for purposes of consistency.

Number two is that we believe that the Department of Energy should hold public meetings at the same locations that they did for the Draft EIS across the United States, not just limited to Nevada and its close proximity.

2 We believe that the -- actually I shouldn't say we believe, but you caught it anyway. When will it end? Let me see. That the background documents, the Department of Energy did not provide all the background documents. That makes it very difficult for the tribes to thoroughly assess the Supplemental EIS and the Supplemental Draft EIS and Draft EIS. And that while today some documents were provided, it would have been helpful to have that in advance to make those kinds of determinations.

3 The Consolidated Group believes that it's essential that the Department of Energy recognize the trust responsibility and maintain government-to-government relations at all times as required under Executive Orders and various other federal mandates. And that funding has yet to come to any of the tribes that has allowed them to thoroughly assess and prepare for what's being proposed in the Supplemental EIS and the Draft EIS for citing the high-level geological repository for the disposal of high-level nuclear waste -- nuclear high-level radioactive waste.

4 Also it's important to note that the tribes and organizations belonging to the CGTO have gone on the record as being opposed to the Yucca Mountain Project because of our cultural ties and the importance of the area and that still stands.

5 We believe that the transportation routes need to be selected as soon as possible in order to allow tribes and other interested individuals the opportunity to adequately prepare for the advent of the shipment of high-level radioactive waste. In the Supplemental EIS it was noted as was in the Draft EIS that there be with environmental justice that there's the belief by the Department of Energy that there are no environmental
6... justice issues or concerns.

6 cont. However, that doesn't meet the requirements of the environmental justice regulations as has been duly noted in the Supplemental Draft EIS. However, in discussing it in our executive session, we found that also other comments that were made representative to environmental justice from -- I don't remember whether it was Ralph Nadar's group --

MR. HELMER: Public Citizen.

MR. ARNOLD: Public Citizen that there were some comments that were specific to environmental justice. However, in the Supplemental EIS, for reasons unknown, only the Native American concerns were presented there and none of the others. We were wondering what the rationale behind that was.

7 Under the Supplemental Draft EIS under the cultural resources section it primarily appears to devote itself to archaeological findings. We believe while this is indeed part of the cultural resources, it talks about mitigating issues and a lot of other -- lot of other proposals to try to protect areas in and the like and we believe that it's imperative that the Indian concerns and involvement be included into that section in the final EIS.

8 On page B-10 of the Supplemental Draft EIS it mentions Native American groups and under that they have identified tribes, Indian tribes. And because of points in the law and certain requirements, it's inappropriate to have Indian tribes identified as groups and should be so noted and identified as Indian tribes that they are.

On page B-16 it talks and refers to Indian tribes as tribal organizations. There's a distinct inconsistency between the word groups and organizations, but still doesn't specifically address Indian tribes and should be corrected to reflect that.

On page D-10 there is mention that identifies the Las Vegas Paiute Tribe incorrectly as the Las Vegas Indian Colony Paiutes -- I'm sorry -- Las Vegas Paiute Colony and should be corrected to accurately reflect its name as the Las Vegas Paiute Tribe.

9... On page 3-16 it talks about under section 3.1.13 and this is under the Environmental Justice section, it alludes to and specifically states actually that the DOE will continue its protection of Native American cultural resources and protect the traditional cultural properties. It will implement appropriate mitigation measures.

To date there's been no studies specific to traditional cultural properties as identified under both Bulletins 30 nor as cultural landscapes under -- I'm sorry -- under traditional cultural properties under Bulletin 38 and

9 cont. traditional landscape areas under Bulletin 30. And as such there should be provisions to include those kinds of studies to make those determinations if indeed there's going to be protective measures implemented.

10 We also believe that the use of the proposed wind generation project as identified on page 3-18 under electric power section 12.3.4.4.4 it identifies that the DOE is investigating another proposal for renewable energy of a wind generator project. And the tribes here have been or actually are familiar with that project and currently there's a lot of opposition to the sighting of that project. And understanding that it's not directly included in this Supplemental Draft EIS, it's indirectly related in that if there's consideration of getting power from a place that for a project that has been at this point in time not thoroughly assessed or had adequate Indian involvement. And so with that the tribes have become -- they have stated their opposition to the project until such time as the full determination can be made through systematic ethnographic interviews.

11 I believe that at this time -- no, it doesn't need to. There's one other comment, sorry. With respect to the ground-disturbing activities, there was the mention of additional land that would be needed and that's on 3-8 and 9 talking about additional acreage that would be potentially impacted for a total of 1600 acres and some of that has to do with the solar facilities and things that are beside it.

We believe that in our opposition to the project there is also the opposition of ground-disturbing activities. So we would suggest that any activities that are proposed regardless of nature always consider what has the least disturbance to the land. As such there is under the long term -- I'm sorry -- the high heat mode I believe is what it's called. I'm trying to get the term. I'm sorry. The higher temperature repository operating mode.

In looking at those various options, there is one that -- one of the options would consider least disturbance to the ground and that's what we would be proposing. Again and are more in favor of -- it's almost the worst of the three evils or three options or alternatives and not making it by any chance, by any means reducing the necessity of maintaining the government relations, but the opposition to the Yucca Mountain Project.

With that I believe that concludes my comments and I would be happy to turn it over to my next colleague that's sitting next to me.